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total force of all our manpower, a military victory could have been achieved.

But Vietnam has never deserved an all-out effort of American money and manpower. We did think that certain desirable goals could be attained without much cost. We were wrong. The cost has been much heavier than we guessed. The opposite of victory in Vietnam, then, is not defeat. It would be simply lack of success and nothing more—lack of success with the limited resources we are willing to devote to the war. No matter what happens Vietnam will not be an American defeat. But it is an American mistake.

When President Nixon states the issue in terms of victory or defeat, he does us a great disservice. Since the American people do not want to be labeled as having been defeated, such language encourages an unlimited campaign, until military victory is achieved. But if military victory at any price had been worth it to us, we could have been victorious long ago. The alternatives the President presents us are too simplistic and, indeed, dangerous.

The situation must be viewed from a broader perspective. What we were trying to accomplish in Vietnam was worth far less than we have already spent. It is plain commonsense to stop bidding at an auction when the item you are bidding for turns out to be going for a far higher price than you first envisioned. Only fools spend their family rent, food, and clothing money in such a way.

I think it is absolutely essential that we come to our senses and draw a line. The costs are way out of line with the goals. We must make the judgment that other causes both within our country and in other parts of the world better deserve the energy which we have given to Vietnam.

The United States has acted like a doctor in an emergency ward who spends all his time and medicines on one patient while others are suffering and dying around him. The time has come to order the doctor to treat some of the other patients.

Last year I supported the various "end the war" resolutions. It goes without saying that I would like to see us completely out of Vietnam by the end of this year. But there are other views and other voices both in the Congress and in this country. Thus, to gain the support of the majority, I have introduced legislation that sets a limit but is designed to get wider support than the ones proposed so far. My bill is a practical and realistic compromise—the withdrawal of all ground combat troops by December 31, 1971.

If the South Vietnamese Army has already borne the full brunt of the ground fighting in Cambodia and Laos, then they should be able to do the same in their own country by the end of the year. If we could achieve congressional agreement on at least this proposal, then I believe that the end of our involvement in the war will be in sight. Dates for the end of air support and for complete withdrawal will almost certainly follow.

I hope that we have learned something from this war. I hope that we will never

again rely on such shoddy intelligence information that got us involved in Vietnam, that depended almost exclusively on the advisers around Diem and gave us a false impression of the popular support for the Saigon Government and numerous misconceptions about the opposition. I hope that never again will Americans be involved in another My Lai incident, in bombing villages in neutral countries as we did in Laos and Cambodia, in destroying the ecology of a country with defoliants and saturation bombing. I hope that we will never again ally ourselves with another government whose practices violate the very ideals we are fighting for by incarcerating political prisoners without trial, muzzling the press, and permitting the torture of prisoners.

I hope we have learned that moral considerations must guide our involvement and conduct in war, and that if they do not, military victory may mean nothing in the end. Finally, I hope we have learned that there are better ways to strengthen and protect the free world than war.

#### WHAT DO YOU CALL THE PEOPLE WHO SEEK TO CRIPPLE THE NATION'S GOVERNMENT?

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, if enemy agents stormed this city, crippled our national defense capability, halted the business of the Congress, and brought the Government of the United States to its knees, what would you call it?

That is what a band of militants plan to do within the next 2 months. They call it antiwar.

In recent years, that label has been pinned on just about every criminal and radical act in the book. When a campus erupts, buildings burn, police are killed, drug dens flourish, people lie dead, and citizens are terrorized, it is all done in the name of the "antiwar" movement.

Now we are reading detailed press accounts of plans to shut down military bases, block the entrances to Washington, invade Government buildings, harass workers and in general, disrupt the Nation's Capital and the workings of Government. There are some people who seem willing to excuse this behavior because the destruction is to be done at the hands of "antiwar" demonstrators. Let's keep these plans in perspective. The leaders are not "antiwar." Their attitude and their efforts are anti-American, and everyone in America should know it.

Among them there is the National Student Association. In December, 15 leaders of this group went to Hanoi where they signed a "declaration of solidarity" with the Vietcong and North Vietnamese Communists. They also signed a peace treaty calling for the abandonment by the United States of both the South Vietnamese people and our own prisoners of war.

The NSA in February came to terms with the Peoples Coalition for Peace and Justice headed by Rennie Davis and

David Dellinger of Chicago Seven notoriety.

The agreement took place at a meeting in Washington attended by leaders of the Communist Party USA, Socialist Workers Party, Young Socialist Alliance, War Registers League, Mayday Movement, and the National Welfare Rights Organization.

To date, about 100 groups and organizations have announced plans to participate in the April and May demonstrations here. They have a right to air their grievances in an orderly and peaceful manner. But I strongly disagree with the premise that the organizers of these demonstrations, with allegiance to philosophies that are enemy to the United States, have a right to come to Washington for the announced purpose of rendering the Government powerless.

These people are not against war. They are for war. Their aim is to destroy the United States by any means including war and violence, and to replace our Government with one of their choosing. For them to openly threaten this city, this Congress, and this Nation in such a manner goes far beyond the right of peaceful assembly and the redress of grievances. Their self-assumed label of "antiwar" demonstrators does not cloak their true motives.

The Federal Government should, as it has in the past, do all in its power to make certain the right of protest is not infringed upon. The police and security forces necessary to assure this right should be made available. These forces also should be given the clear duty to take all necessary steps to protect the Government and people of the United States. In the exercise of that duty they deserve the backing of every American. And the fullest support and cooperation from the Congress and Government officials. They cannot do their work alone. They should not be asked to accept risk and responsibility without a show of appreciation and support from those they protect.

#### THE LAOTIAN INVASION LOOKS LIKE A MINUS

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, from an overall analysis, the military operation conducted by South Vietnam forces in Laos is disappointing. Military professionals call it successful in that an invasion was launched, an objective was reached, enemy supplies were destroyed, heavy casualties were inflicted, and a successful withdrawal was accomplished.

This does not disguise the fact that withdrawal took place weeks earlier than had been intended. The South Vietnam forces had expected to remain in Laos, conduct extensive searches for supplies, and disrupt enemy communications until the monsoon season begins in late April or May. This they failed to do. The operation barely reached its major objective at Tchepone. The troops remained in that area for a limited time only before beginning a retreat to South Vietnam.

contract subject to conditions it stipulates, and if the parties to the contract accept those conditions, it will be a binding contract not subject to review except with respect to indefinite pricing clauses and any definite pricing clause disallowed by the Commission.

Or, the Commission can disapprove the contract, which then becomes null and void.

The purpose of these amendments is to give gas producers encouragement to go out and explore for gas to meet the constantly increasing consumer demand. They simply provide that the rules will not be changed after the game has started. They remove delays, confusion, and uncertainty of existing regulation, under which the Federal Power Commission in the past frequently reversed itself, changed the rules, and rewrote long-standing contracts to which producers had in good faith committed their gas for sale.

The regulatory powers of the Commission, designed to protect consumers, are fully safeguarded.

If a contract with an indefinite pricing clause is approved, an increase in price cannot be placed in effect under the clause without review and approval by the Commission at the time it would become effective.

New small producer contracts; that is, contracts for less than 10,000 Mcf of gas per day—are exempted from Commission jurisdiction, with provisions protecting this exemption from abuse. This would greatly lighten the Commission's work load without adversely affecting the control of prices by the Commission.

Existing contracts will remain subject to the Natural Gas Act, as they now are, except that prices which are approved by the Commission are not subject to downward revision.

My bill also establishes new guidelines for the Commission in setting prices. They include consideration of present and future gas supplies and requirements and the rate levels necessary to elicit supplies sufficient to meet the requirements. Other guidelines recognize economic and cost factors indicators and trends, but not cost of service.

Mr. Speaker, that in essence is the effect of the amendments to the National Gas Act that I am placing before the House.

This legislation is urgently needed by the consumers of this country, if they are not to become overly dependent upon unreliable high-cost foreign sources of energy and if the Nation is not to be deprived of the ecological benefits of this clean-burning fuel.

The effect of my bill will be to place regulation of natural gas prices on a rational and responsible basis. It would simply make gas sales contracts valid and binding on all parties concerned once they have Federal Power Commission approval.

This is a public interest bill—a consumer interest measure. I hope it will receive prompt and favorable consideration by the Congress.

LT. WILLIAM CALLEY

The SPEAKER pro tempore. Under a

previous order of the House, the gentleman from Georgia (Mr. STUCKEY) is recognized for 10 minutes.

Mr. STUCKEY. Mr. Speaker, the American people have been tossing and turning in their sleep over the past several nights. We are distressed, indignant, and I believe most of all we are suffering from acute guilty conscience.

Lt. William Calley, an American soldier has been sentenced to life imprisonment. He killed civilians while serving in Vietnam.

I do not condone the killing of civilians, Mr. Speaker, especially women and children. But, the American people and the military establishment must not lose sight of the fact that this war we have been involved in for over 17 years is still considered a civil conflict. It is not a declared war. Our soldiers most often cannot even distinguish the enemy they are supposed to kill from the civilian whose life they must risk their own to protect.

A small child tosses a hand grenade and wipes out the lives of a dozen U.S. soldiers. American newsmen are tortured and killed, it is chalked up as casualties of war but, they are civilians, and without weapons.

Kill or be killed has become an instinct among our fighting men. What goes through the mind of a man when he is fighting half way around the world to prevent the spread of communism?

I have written to the President, Mr. Speaker. My letter will take its place among the hundreds of thousands which I am confident he will receive. My letter respectfully but urgently requests that Mr. Nixon do all in his power, as Commander In Chief of the armed services and take action to prevent the life sentence of William Calley from being on the conscience of the American people.

And, I have done more, Mr. Speaker, I am today introducing a resolution calling on the House Armed Services Committee to conduct a full and thorough investigation into this matter. It is imperative—I repeat, imperative, that a full examination be made and a determination made as to whether Lt. William Calley is just a scapegoat.

And, Mr. Speaker, I believe that we must insist that the Pentagon issue a clear-cut statement as to what is expected of our men in this war that has taken so many thousands of American lives and left other countless thousands maimed for life.

And, finally, Mr. Speaker, as I tried to sleep last night, knowing the action I planned to take as a Member of the House of Representatives and representing the better than 350,000 people in the Eighth District of Georgia—sleep still would not come—and I realized that all this is not enough.

No, Mr. Speaker, I decided that if the American people, if our Government, the establishment cannot support our fighting men, then I can no longer justify drafting them into an impossible situation where it is kill or be killed. But you better watch out because if you kill then you stand the chance that you will be sent up for life when you get home.

So, Mr. Speaker, today I will vote against the extension of the draft. This

is my protest for the fighting men in Vietnam. I do not want to send any more of the boys from my district to Vietnam until there is more evidence of support here at home.

The President is bringing home troops. I support him in this. And, if we are not going to fight a war to win—then I say, let us not continue drafting young men to send over there.

#### ADVOCATING WITHDRAWAL OF ALL GROUND COMBAT FORCES FROM VIETNAM BY END OF 1971

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 20 minutes.

Mr. ST GERMAIN. Mr. Speaker, from the very beginning of the Vietnam war, a fundamental error has confused our policymaking. We have never drawn a clear line on how much money and how much manpower was a reasonable limit in the light of what we could hope to gain there. We assumed that whatever was needed fell within our means.

Even though the goals to be achieved in Vietnam were never crucial to our national security, we uncritically committed ourselves to allocating all the money and manpower necessary to defeat the enemy and keep the Saigon Government in power. We never dreamt that over 50,000 Americans would die there, and that it would swallow up over \$120 billion. If we had known at the start what we know now, would we ever have committed ourselves to such a drain on our national resources?

Our purpose in South Vietnam has been to prevent the spread of communism. Yet the Soviet Union must be delighted with our continuing involvement in Southeast Asia. Communists view their world struggle on more than the military level. As each month goes by the Soviet Union sees the United States being hurt economically and politically by the war, losing status in the eyes of world opinion, losing opportunities for solving domestic problems, becoming a divided people, and losing the trust of the American people in the leadership of their Government.

Vietnamese Communism on any analysis must be regarded as nothing more than an indirect and long range threat to our national security. By devoting all our energies there we do nothing to counteract Communist movements in other countries, such as in South America, which could, indeed, have a far greater impact on the United States. We also fail to develop the social and economic model on the domestic scene that would prove the superiority of our Democratic form of government over Communist rule.

At the very outset a limit should have been placed on the amount of money and number of men that the Vietnam situation warranted. If that had been done, we would never have begun thinking that the opposite of success in Vietnam is defeat. It would simply have been a case of the goals not being worth the price. Obviously by calling upon all our weaponry, nuclear arms if need be, and the

Tchepone is a major Communist supply area and it was anticipated that a wealth of supplies would be unearthed and destroyed there. Some of this was accomplished. Much more would have been possible had the South Vietnam troops remained there longer. Withdrawal by these forces did not look like an orderly planned withdrawal. Appearances are that they were pushed out of Laos by superior North Vietnam forces. Nevertheless, they fought bravely against much larger forces and they inflicted heavier casualties than they took.

The operation was not a failure. It demonstrated that the South Vietnamese forces have made very substantial progress in developing effective military forces. Such an operation would not have been possible without the support of American ground forces even a few months ago. South Vietnamese are now more confident and they have better leadership. It is to be hoped that failure to accomplish all that was desired in the Laos operation will not have an adverse effect upon morale either among troops or among the Vietnamese population. Let us hope that it does not also sour the American population more.

#### THE LATE MADISON FAY BOYCE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the Members of the House have suffered the loss of a good and a long time friend, and the Congress has lost a faithful and dedicated employee. As a personal friend, I deeply regret his passing.

For many years, Madison Fay Boyce was one of those dedicated but unheralded public servants who perform so well in the service of America. Rising to the important position of Chief Bill Clerk of the House, his contributions to the work of the Congress were unique and invaluable.

As one who was privileged to share his friendship, I knew that he was looking forward with great joy to the prospect of a well deserved retirement in Florida next month, and frequently we had discussed his plans for living in my State. Suddenly he has been taken from us, and our sense of loss is very keen. I join with his legion of friends in expressing earnest sympathy to all of his family. The Congress and the Nation share a deep sense of loss at his passing.

#### STAFFING OF COMMITTEES

(Mr. MITCHELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MITCHELL. Mr. Speaker, during the last few years, this body legislated often to insure equal opportunity in employment. Congress created a Federal agency, the Equal Employment Opportunity Commission, with that specific responsibility, and other Federal departments and agencies established guidelines for themselves in this area. Most Federal contracts with the private sector

now contain provisions that fair employment practices will be followed. Congress has made a good beginning of which it can be proud. With energetic Executive enforcement of the law, job discrimination should disappear from the Federal Government, and should be notably reduced in the private sector.

You can imagine my surprise, therefore, to learn recently that congressional committee staffs included almost no blacks as employees.

It is easy to see that blacks are underrepresented in the body of the House itself, and that this disproportion carries over into personal congressional staffs.

Nevertheless, committee staffs are supposed to represent a more ongoing part of the congressional structure, providing service and expertise to their committees and to the House as a whole. Their operations and responsibilities extend beyond the sectarian interests of a particular district. And, consequently, committee staffs should be judged by more demanding standards.

It is difficult to see how the Congress can legislate in favor of Equal Employment Opportunity, and at the same time practice job discrimination itself. Why should we expect the private sector to end unfair employment practices, when the Congress itself does not provide an example of equal employment opportunity. A Washington Post editorial of January 1, 1971, highlights the problem:

#### THE PALENESS OF A POLICY

To hear all those fine U.S. government public service messages about the importance and requirements of equal opportunity employment, you might think that Uncle Sam would be right out there at the head of the march, seeing to it that competent, deserving black people are tapped for top policymaking roles. And a casual observer, told by the administration that great strides have been taken in this direction, can immediately notice that not all black people in government are janitors anymore.

But some findings last month by a Washington television program point up dramatically an element of illusion in all this. The staff of "Black News" (WTT-Channel 5) simply went out and made some headcounts. Correspondent Don Alexander found, for example, there were 530 people on the White House staff payroll. Of these, only one special assistant, Mr. Robert Brown, was black. Mr. Brown could name only four other black professionals on the White House staff.

On Capitol Hill, the news team made a floor-by-floor survey that found no more than 80 black professionals, including secretaries. "Only 17 senators' offices have any black staffers at all," Mr. Alexander reported. "There are no black administrative assistants or committee counsels, just 12 legislative assistants and four black special assistants."

In the House, the survey found that only 27 of the 435 congressmen had any black staff members; totals showed two administrative assistants and four legislative assistants. The report came up with no black professionals on House committees except for Education and Labor and Government Operations, where the former chairman, Adam Clayton Powell and William Dawson, were black.

Those blacks who do hold supergrade jobs in the administration told the interviewers candidly that they are not at all pleased with the equal opportunity picture in government today. What's more, they noted, there is not even a significant number of blacks in positions of power to make any

policy decisions really affecting the minority.

Given this disturbing picture, it is no small wonder that many black people are somewhat cynical about Uncle Sam's eagerness to give them a fair shake. The phrase "black power" may conjure up all sorts of images for white people, but the realities of black powerlessness make "equal opportunity" seem to many others to be a put-on.

As you can see, this pattern of unfair job discrimination extends to every sector of the Government. This should not be an excuse, however, for our own inaction.

It is conceivable that other agencies of the Government fail to actively seek blacks to fill professional positions, because they see the lily-white staffs of Congress. Given this state of affairs, how sincere can Congress be?

I want to stress the fact that there are many blacks capable of serving on committee staffs. It is simply a question of Congress failing to energetically seek minority people who would work for committees. This failure is a disservice not only to ourselves, but to the Nation as a whole.

Mr. Speaker, I call upon the Congress to rectify this situation immediately. By example as well as by legislation, this body should lead the fight against job discrimination.

#### LEGISLATION TO ESTABLISH HEALTH STANDARDS FOR FOOD SERVICE ESTABLISHMENT EMPLOYEES IN THE HOUSE AND SENATE RESTAURANTS AND IN THE DISTRICT OF COLUMBIA

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HALL. Mr. Speaker, I am today introducing two bills which are designed to protect the health and well-being of Congressmen, Senators, Government employees, visitors to—and citizens of the District of Columbia; by the establishment of health standards for the employees of food establishments in the District.

The first bill was introduced by myself last August, and, was in reaction to the tuberculosis outbreak on Capitol Hill that occurred in the early part of 1970.

This bill, now joined in by my friend from South Carolina, the Honorable JOHN McMILLAN, brings the District Health Code in line with the better codes of other major cities in the Nation.

The District code now contains a law stating that no person afflicted with any communicable disease can work "with food." But no law or regulation requires current congressional food-handling employees or such applicants anywhere in the District of Columbia area to take a physical examination of any sort, let alone annually.

In essence, the "Hallbill" requires that no person can be employed by any food establishment in the District of Columbia unless he meets such health standards prescribed by the District of Columbia Council, in pursuance to the tests outlined in the bill. The bill calls for annual examination which include a

tuberculin test, X-ray, of the chest—uncovered—a serological test, and examination of hands, skin, nose, and throat and body orifices—including a culture where appropriate. These standards would provide sufficient protection against further outbreaks of communicable diseases such as tuberculosis, and other common and rarer diseases ordinarily associated with food-handling and preparation.

These requirements would be administratively and budgetarily feasible. Tuberculin tests are not costly. Up to 1957 the District of Columbia required an annual physical examination and health permit requirement, for restaurant workers. The point is, we cannot afford to do without them. The marvel is, that an entire Capitol Hill force has escaped so long.

Tuberculosis is a highly contagious bacterial disease usually associated with poverty, stress, overworked, and social problems. The average active case of tuberculosis will be the source for the infection of 15 persons, before it is detected. The TB victim can begin infecting others well before his own symptoms force him to seek medical advice. Therefore, people constantly in contact with the public, should meet such minimal health requirements as I have outlined above in order to prevent outbreaks similar to that of Capitol Hill.

It may surprise you to know, the District of Columbia ranks fifth in the incidence of active new tuberculosis cases among the more than 50 cities in the Nation with a population of 250,000 or more. New case-rates are nearly three times the national average and the death rate more than triple that of the rest of the Nation, according to H. Michael Cannon, director of District of Columbia's Tuberculosis and Respiratory Disease Association.

Now, Mr. Speaker, my second bill would repeal that section of the District of Columbia code which exempts the House and Senate restaurants for the District health regulations. This proposed legislation is identical to legislation I had prepared last year and Chairman McMILLAN introduced. It seems ludicrous that restaurants which feed the leaders of our Nation, should be "exempt" from any minimum health standards. The folly of this exemption was clearly witnessed by the death and disease, tuberculosis brought to Capitol Hill last year.

Finally, Mr. Speaker, public apathy is one of the greatest problems now confronting those involved in controlling tuberculosis or any other contagious disease. Given the record of the District of Columbia, I strongly feel that it is time that the Congress set an example for the rest of the Nation in the field of public health. As one of the "doctors in the House," I am sure of it.

#### DEFEAT OF THE SST

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, there has been a great deal of public discussion

about the underlying causes of the defeat of the supersonic transport program, and in the barrage of comment and conjecture about what was right and what was wrong with the program the relatively simple reasons for the defeat have been obscured.

An excellent editorial concerning the defeat of the SST program appeared in the March 25 edition of the Ansonia Evening Sentinel, and I am inserting the article in the RECORD at this point for the benefit of my colleagues.

#### GROUNDING THE SST

Major issues seldom are simple, and the issue of the supersonic transport is no exception. Strong arguments can be made both for and against building the SST.

Last week the House of Representatives accepted the arguments of those opposed to the plan and voted 215 to 204 to cut off federal funding on March 30. Rep. John S. Monagan, who represents the Valley, was one of those voting to kill the plane. Yesterday the Senate concurred.

Those favoring the SST had six principal arguments. They contended that:

Someone—either Russia or Britain and France or the United States—is going to build it. Therefore, it should be the U.S.

The U.S. could earn large amounts of foreign exchange through the sale of the SST throughout the world, thereby improving the balance of payments.

Development of the SST would give American science and technology a big boost.

Manufacture of the plane would improve employment in depressed areas and increase the profits of faltering companies.

The challenge of flying commercial aircraft faster than the speed of sound should be met for its own sake.

Speedier flight would benefit American and other travelers.

Opponents of the SST has six main arguments. They contended that:

The giant plane would cause pollution of the upper atmosphere, perhaps diluting the earth's protective blanket of gasses to let more cancer-causing rays reach the surface. The SST would be unbearably noisy.

The SST would have to be flown over water only because of the noise, thus barring it from the many routes that cross the land.

It would benefit certain airlines and aircraft makers at the expense of the taxpayers in general.

It would fill no real need since people do not really have to fly faster than sound.

The cost of the plane would be out of all proportion to its benefits, especially when large amounts of money should be spent on human needs here on earth.

To us, the question comes down to two points: Is the SST a threat to the environment? And is it worth what it will cost?

The truth is that nobody knows whether the supersonic transport would damage the upper atmosphere—or even how unpleasant its noise would be. This includes the scientists who know more about these fields than anyone else. Until we know more about these things, we would be well advised to go slowly.

But the basic question is whether the benefits of the plane would outweigh its cost. The best answer seems to be that they would not. There is no overwhelming need for such a speedy transport now. There is a need to save the billions of dollars that development of such a plane would represent.

Nor should we be moved by arguments that if the U.S. does not fly the SST, other nations will. The British-French Concorde project is in deep trouble. The Russian supersonic transport can be built only at enormous cost. Even then, the U.S. could exclude it from American airports on grounds of air pollution and noise pollution, making its commercial success impossible.

The Congress dealt the SST a near-mortal blow. The project should be allowed to expire without further efforts at resuscitation.

#### AMERICA'S GREAT ACCOMPLISHMENTS

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Of the world's 10 largest dams, five are in the United States. No other nation in the top 10 has more than two. The five U.S. dams comprise a total volume of structure of 442.4 million cubic yards.

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. MILLER of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### PROPOSED TERMINATION OF SUGAR QUOTA ALLOCATED TO REPUBLIC OF SOUTH AFRICA

(Mr. DOW asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOW. Mr. Speaker, today I am introducing legislation to amend the Sugar Act of 1948 to terminate the sugar quota allocated to the Republic of South Africa.

The Sugar Act expires this year and is presently before the Congress for review. Now is the most appropriate time to discuss the policy of continuing support by economic means a government which practices an apartheid policy repugnant to the principles and ideals of all Americans.

My bill simply eliminates the quota presently given to South Africa and redistributes it to the other countries who receive a quota under the act. This approach emphasizes the issue before this country and the Congress: Should we in any way lend economic support to this regime unless it changes its racial policies?

We must also remember that it was U.S. support which absorbed the sugar market previously imported by Great Britain before it stopped trading with South Africa in 1962. The economic benefits to South Africa are substantial, they are worth more than \$5 million above the market price.

For many years it has been the policy of the U.S. Government to preserve within the United States the ability to produce a substantial portion of our sugar requirements. In earlier years protection of our domestic producers was provided by a tariff policy, then, in 1934 a quota system which protected the domestic market by quotas for both domestic producers and foreign suppliers was enacted. This quota system was revised

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like to find a drug that would arrest abnormal cell division altogether, stopping the cancer in its tracks.

Taken all in all, the advances made in cancer research and therapy in the past few years add up to the most hopeful view of the future that has ever been possible. What now remains to be seen is how quickly the latest breakthroughs may lead to yet more dramatic and productive ones so that, as some cautious physicians and researchers envision, the war against cancer may be won by the end of the century. NCI's Frank Rauscher sums up his own feelings this way: "I think the prospects for even greater strides into prevention are so great that our target of reducing the incidence of mortality by one third by the year 1980 is very real. I think that with additional information, the target of a two-thirds reduction by the year 2000 is also a very real one."

### THE INVASION OF LAOS

Mr. BAYH. Mr. President, on February 25, when the South Vietnamese invasion of Laos was less than 3 weeks old, I expressed my grave concern about the outcome and effect of that operation. Subsequent events have justified that concern.

At that time I also noted the inconsistencies in the facts and figures which were being used to demonstrate how successful the Laos operation was supposed to be.

In an article which appeared in the New York Times on April 1, Alvin Shuster has made an analysis which, in effect, up-dates these points raised 5 weeks ago. In it he examines the final, unbelievable figures that the South Vietnamese Government is now giving out to demonstrate the results of that operation.

I ask unanimous consent that my remarks on February 25 and the article be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

#### THE INVASION OF LAOS

Mr. BAYH. Mr. President, by President Nixon's conscious decision to support the South Vietnamese invasion the southern panhandle of Laos has now become the test-ground of Vietnamization. And the evidence to date seems to be proving that Vietnamization will not end the war.

Vietnamization was supposed to buy enough time to make the South Vietnamese Army competent to cope with the military situation in South Vietnam on its own. We were led to hope that Vietnamization would, thereby, permit the withdrawal of American fighting men so that in the foreseeable future none of our forces would be left in Vietnam. Vietnamization was going to end the war, principally by demonstrating to the enemy that they could never win and ought therefore to compromise in Paris.

The reports already in from the Laos operation contradict each of these assumptions.

In fairness, it does appear that the ARVN are fighting more competently than they did several years ago. But that is not the real question. The real question is whether, after nearly 2 years of Vietnamization, the ARVN show signs of improving enough to handle the military situation by themselves. The Laotian invasion raises serious questions about this. So far it appears that the North Vietnamese still have the ability to pick the ground on which to fight, and when they do, to inflict serious defeats even on the ARVN's crack units—despite the most massive appli-

cation of American air power Indochina has yet seen.

The Laotian operation, like the Cambodian one before it, was supposed to buy time to make the ARVN capable of defending South Vietnam. The Cambodian operation expanded the area which they must defend to include yet another country. The current operation is not only expanding the area of the conflict, but also apparently exposing the South Vietnamese to a decisive military reverse. The result could be a South Vietnamese Army which must fight three wars instead of one—after some of its best fighting units have been destroyed.

And what of hopes for American disengagement in the foreseeable future?

The President's statement on unlimited use of American airpower and the military's estimates of when the South Vietnamese will be able to take over the air war pose the real possibility of a U.S. air umbrella over operations across Indochina for the next 4 or 5 years. The scope of that kind of involvement is suggested by the fact that during the current invasion of Laos our air-men are flying up to 1,000 sorties a day.

And beyond that, what will a serious reverse for the ARVN—now or later—do to the pace of withdrawal of U.S. ground troops? American boys may well be bogged down longer in Vietnam because the South Vietnamese Army is spread too thin and too badly weakened to defend its own country.

The administration's explanations of the objectives and progress of this operation have been marked by dramatic inconsistencies.

The President either deluded himself or sought to delude others when he indicated that the "lifeline" from North Vietnam south could be choked off by such a mission, thus convincing the Communists to give up the fight. First, the capacity of the ARVN to achieve that objective, even temporarily, is at this point in serious doubt. Despite their incursion and intense air raids, reports persist that heavy traffic along the Ho Chi Minh Trail has continued during the last 2 weeks. Even if the South Vietnamese were able to block all the supply lines in the eastern half of the Laos panhandle the North Vietnamese could reroute their supplies further to the west, suffering only a temporary delay and loss of supplies. But in pushing the Communist supply lines westward we run the risk of spreading the major action of the war to areas heretofore unaffected—the heartland of Laos and even parts of Thailand. On how many more innocent bystanders do we have to visit the horrors of modern warfare before we realize that expanding the war is not the way to end it?

Now we are being told that an operation that has stalled and is in danger of becoming a disastrous setback is on schedule, that its objective is being achieved and that its progress is satisfactory.

Last week we were told that the ARVN were 22 miles into Laos. Two days ago it was 17½ miles. Yesterday it was 16 miles.

Both United States and South Vietnamese military authorities are giving the impression that a battle in which a crack ARVN Ranger battalion fled the field after losing three-fourths of its men was at least a standoff if not a triumph.

The town of Tchepone which was described as the hub of the trail network and a key objective when the operation began has now become a nonobjective.

Furthermore, eyewitness reports contradict the statistical evidence Saigon and the Pentagon are citing. There is apparently some considerable divergence between the official figures and the reality of South Vietnamese losses, of North Vietnamese losses and American helicopters shot down.

Again a fundamental question is arising—

the right of the American people to know what has really happened.

Finally and most importantly, there is the question of the effect of this Laos adventure on the chances of peace. Contrary to the President's claims, I see no reasonable hope that the Laotian operation will convince Hanoi that its chances of winning are really diminished and that it ought to sue for peace. In fact, if the South Vietnamese reverses continue, Hanoi may well end up believing they are much closer to a military victory than they themselves had thought. In any case, nothing about this operation would seem to serve the cause of a negotiated settlement and final peace.

Plainly we should now be a very different course. We should not be expanding the war, but trying to find ways to deescalate it. We should not be taking actions in Indochina which seem to assure our further and deeper entanglement. We should, instead, be deciding on a date on which to end our involvement. We should not be seeking a military solution in southern Laos; we should be seeking a political solution in Paris to end the war in Vietnam.

#### REPORTS BY SAIGON ON TOLL INFLICTED ON ENEMY IN LAOS ARE AROUSING DOUBTS

(By Alvin Shuster)

SAIGON, SOUTH VIETNAM March 31.—The campaign against Communist supply lines in Laos is over, but statistical warfare continues to rage, reminiscent of the days when American commanders put the stress on "the body count" to demonstrate success in the Vietnam war.

The figures at issue these days are those provided by the South Vietnamese Government on the invasion of Laos—numbers tacitly accepted by the Americans though some are so obviously exaggerated as to be meaningless. As a South Vietnamese lieutenant acknowledged, "the more political the operation, the higher the chances of exaggeration of what we did to the enemy."

It is an old controversy, now attracting new interest because the Saigon Government and, to a lesser degree, the American command are still providing a heavy dose of numbers to try to cure the public discomfort over the Laos campaign. The list is long, from enemy killed and munitions destroyed to field radios, trucks, antimalaria pills and chickens and ducks captured.

#### CONSIDERABLE DOUBT RAISED

Considerable doubt was cast on the statistics all during the 45-day campaign. Official briefers talked solemnly of counting bodies in the jungles of Laos, of estimates of explosives used, of heavy engagements where the toll of the enemy ran into thousands, as against a few wounded.

There were several days when the South Vietnamese command reported every detail of a fight, down to the number of rifles captured, and then said, "There is no word yet on our casualties."

In a war without front lines, it has long been a practice to measure progress in numbers, credible or not. The Americans, during the period of heavy ground combat, were the original sinners, as underscored in the trial of First Lieut. William L. Calley Jr., who testified:

"It was very important to tell the people back home we're killing more of the enemy than they were killing us. You just made a body count off the top of your head. Anything went into the body count: V C, buffalo, pigs, cows. Something was dead. You put it into your body count."

#### LOWER U.S. CASUALTIES

American commanders say the "body count" period for them is over, largely because the nature of the war has changed. Americans are no longer in massive search-and-destroy operations or big battles and,



tested a group of chemicals derived from the antibiotic rifampicin and found some that totally block the activity of the enzyme in virus particles. At NCI, Gallo and his colleagues are testing rifampicin derivatives in human leukemia cells, and other researchers are testing them in laboratory animals. A trial in humans may be some time away, however.

Despite the excitement sparked by Temin's discovery, a cautionary note has been sounded in the wake of other recent research results. One young NCI investigator, Dr. George Todaro, has now found the polymerase activity in normal human tissues grown in culture, suggesting that its presence isn't necessarily indicative of viral activity or malignancy, after all. Thus for the moment, the Temin enzyme has triggered so much feverish investigation that clear interpretations are difficult. Even so, the original consensus holds. "I still believe," adds Spiegelman, "that what we're finding is central information about the nature of the cancer cell."

Temin himself has serious doubts about the quick applicability of his finding to the treatment of cancer. Even if the same enzyme exists in the cancer cell as in the virus, he notes, it may not be essential to the growth of the cancer once it has accomplished its job in DNA synthesis. A drug to counteract the enzyme might therefore be of little use. "It would require fantastic luck for a useful therapy to come immediately," he says, "and people shouldn't count on it. What is important is that this gives us entirely new tools to look at human cancer and ask questions about causation."

Sense: For his part, Temin wouldn't be surprised if the polymerase is proven to exist in normal tissues. In fact, he welcomes the notion because his "provovirus" theory envisions a role for his enzyme in normal development. According to this hypothesis, the polymerase might help embryonic cells differentiate during early development into the specialized cells, such as those of muscle, nerve and skin. RNA molecules, the theory holds, could carry information from cell to cell, and, using the enzyme, make DNA that would bring about generations of cells with new features. "The theory was originally proposed as more of an intellectual exercise," Temin notes, "and the more I thought about it, the more sense it made. So we are now looking for a similar enzyme in normal cells."

Temin is also in vigorous agreement with another expert consensus on the implications of his discovery—namely, that there is no reason whatever for any suggestion that the Temin enzyme might somehow lead to the development of a one-shot, "magic bullet" type of cure for cancer. The main reasoning behind this view is simply that cancer is not a single, specific malady, but rather a group of nearly 200 different diseases, each with its own particular characteristics. Dr. H. Marvin Pollard of the University of Michigan puts it this way: "Cancers originate for different reasons, develop for different reasons, and their treatment involves totally different approaches." But even though skin cancer, for instance, may be as different from lung cancer as a hangnail is from athlete's foot, all cancers nonetheless do have one deadly common denominator: all are normal cells that have lost their growth controls. The most common result of this runaway growth is a tumor that invades normal tissues, saps nutrients from the patient's blood to nourish itself, and emits more cancer cells into the bloodstream and lymphatic channels to establish further malignancy throughout the body.

While the debate over the Temin-Baltimore discovery reverberates in the research laboratories, improvements in cancer therapy are proceeding apace. One area of intense current interest is immunology, and some of the most recent evidence for the importance of immunity in cancer has come from

the field of organ transplantation. Recipients of donor organs must take drugs continually to prevent rejection, and researchers have recently observed that such patients have an unusually large risk of developing cancer. Normally, rejection of foreign tissue occurs because lymphocytes, white blood cells produced by the spleen and lymph nodes, respond to proteins called antigens on the surface of the "foreign" cells and attack them.

Sentinels: Recently, research has suggested that many types of cancer cells have unique antigens that should trigger an immune response. No one knows why this response fails. It may be that the cancer patient cannot produce enough lymphocytes for all the tumor cells in the body, or that the cells themselves may have ways of concealing their antigens from the lymphocyte sentinels. At Atlanta's Emory University, Dr. Loren Humphrey has tried immunizing pairs of terminal cancer patients by inoculating them with fragmented tissue from tumors similar to their own. After eight weeks, the patients are given injections of each other's lymphocytes, which presumably have been sensitized to the tumor antigens. Although the effectiveness of such treatment is far from proven, Humphrey notes that one patient with bowel cancer has remained free of disease for three years, and a number of other patients he has treated have shown definite reduction in the size of their tumors.

A more direct method of arousing the immune response against tumors is being worked out in animals by Drs. Fritz Bach and Richard Hong of the University of Wisconsin. They inoculate an animal with dinitrochlorobenzene (DNCB), a chemical that sensitizes lymphocytes so that the animal will respond with a strong allergic reaction the next time it receives the drug. Then, they chemically link DNCB to an antibody prepared in another animal to the tissue of a certain organ. The DNCB-antibody compound, injected into the sensitized animal, would hopefully target on that organ and destroy it. The same technique, they hope, may work in cancer.

Killer: While immunologists may have far to go in providing an effective way actually to treat cancer, at least one immunological technique seems close to providing an excellent way of diagnosing one form of the disease. At Montreal's McGill University, Dr. Phil Gold has found a specific antigen in tumors of the bowel, one of the leading killers, that can be detected in the blood. Tried in 1,500 patients so far, the blood test has proved 95 per cent reliable in detecting cancer of the colon and rectum—in many cases long before it is visible by X-rays. Currently, half a dozen institutions are studying the test in the hope that it could become as effective a mass screening test as the famous Pap smear that has made possible the sharp reduction in deaths from cancer of the cervix.

While the promising new tools of treatment and diagnosis are being forged in the laboratory, the foot soldier's war against cancer is being waged by the surgeon, the radiotherapist and the physician with his drugs. The surgeon can rightly claim credit for most of today's cures, since a large proportion of cancer patients end up in the operating room. Obviously the extent of a surgeon's success depends on the ability to excise all the cancer. Thanks to better knowledge of physiology and advances in anesthesia, he can now perform more radical surgery than ever before. Moreover, new techniques in plastic surgery can remedy much of the gross disfigurement that radical procedures may entail.

Future: At the same time, surgeons are doing their best to spare patients from disfigurement whenever possible. Many now question whether radical mastectomy—removal of the breast, underlying muscle and the lymph nodes of the arm and chest—is

really necessary to maintain the present cure rate for cancer of the breast: in the near future, NCI plans to launch a study involving some 1,000 patients to find out whether simple removal of the breast, perhaps augmented by X-ray treatment of the lymph nodes, will not do the job just as well.

On balance, the major reason for surgical failures is the spread of the cancer elsewhere. To try to prevent tumor cells in the blood stream from establishing colonies in other parts of the body, the NCI's Dr. Alfred S. Ketcham is giving patients anticoagulants. The rationale for this has come from animal studies suggesting that tumor cells in the blood get stuck to the walls of blood vessels and form clusters that become tumor growths. "By anticoagulating," says Ketcham, "we hope to decrease cell adhesiveness."

In radiotherapy, cure rates have improved steadily through the development of more powerful hardware. The 200,000- to 250,000-kilovolt X-ray machines of the 1950s have given way to 1.3 million-volt cobalt bombs and 4 million- to 8 million-volt linear accelerators (LINAC). Such devices hit tumors with a high intensity X-ray and gamma ray energy with a minimum of "scatter" radiation to normal tissues. Says Dr. Ralph E. Johnson of NCI: "As a result of this escalation in power, some 90 percent of early cancers of the larynx can be cured by radiation, sparing the patient from disfiguring surgery and the loss of his voice."

Most dramatic has been the improvement for patients with Hodgkin's disease. At Stanford Medical Center, patients afflicted with this form of cancer receive high-intensity radiation to every node, notes Dr. Henry Kaplan. Over the past decade, 50 to 60 percent of patients with advanced Hodgkin's disease have become long-term survivors.

To hit tumors with even higher doses, Kaplan and other radiotherapists hope to replace the X-ray with a new subatomic particle, the pi meson. A \$64 million proton accelerator that will generate these particles is under development by the Atomic Energy Commission at the Los Alamos Meson Physics Facility. The pi meson is a negatively charged particle whose beams can be "focused" by means of magnets and brought to bear at any depth of the body. As it travels, it emits low-intensity X-rays that can be read by the radiologist, enabling him to guide the beam to the target. On its way through the body, the meson is harmless. But when it enters the target cell it collides with atoms of oxygen, carbon or nitrogen and produces a minuscule atomic explosion within the cell.

Chemotherapy, an experimental frontier just a few years ago, has also come into its own. Some 30 drugs are now available which, used alone or in combination with surgery and radiation, can shrink tumors. Formerly, acute leukemia, the most common cancer in children, was uniformly fatal within weeks or months. Now, nine out of ten children with the disease go into remission after drug therapy, half are alive and well after five years and a few have been pronounced cured. One reason for the improvement is that doctors have learned to administer drugs in combination or in sequence, thus preventing the cancer from developing a resistance to any one drug, a common cause of failure a decade ago.

Hopeful: Equally effective drugs against solid tumors such as breast cancers have yet to be developed. Most of the presently available drugs interfere with the synthesis of DNA, which means that they exert their killing effect only during cell division. They are therefore least effective against cancers in which relatively small numbers of cells are dividing at any one time. Now, researchers are screening some 15,000 compounds a year for drugs that will act on cells at a different stage of the life cycle. Ideally, they would

with the enemy pursuing a protracted war of small units in this country, the engagements involving Americans usually show low casualty figures.

The theory is that the smaller the figure, the more credible it is.

General Michael S. Davidson, commander of American forces in the military region surrounding Saigon, who is soon to become Army commander in Europe, said: "I never liked the body count and the stress on kill ratios because I always found they could lead to bad practices. When I decided to come here I decided never to mention kill ratios and body counts to a single subordinate commander."

American and South Vietnamese commanders like to look at figures as benchmarks of progress, nevertheless, because, in their view, the figures help to show what is happening to the enemy.

What happened to the enemy in Laos is still a big mystery. The South Vietnamese claim 13,815 North Vietnamese soldiers killed. The American command, which limits itself to estimates based on aerial observation, put the figure at 4,100. The clear implication, accordingly, is that more than 9,500 were killed by the South Vietnamese themselves, which is difficult for some officers to believe.

#### SOME "MINUSES" FOR HANOI

"Look at it this way," a doubtful American officer said. "The Vietnamese say they have killed nearly 14,000 Communists in Laos."

"If you figure that at least two are wounded for every soldier killed, that means 42,000 Communists were put out of action. Since there were supposed to be only 30,000 Communists in the area in Laos, they are now minus 12,000."

"Now the command says we killed something like 15,000 trucks along the trail since the dry season began in October," he continued. "They only had about 12,000, so again Hanoi is minus, this time about 2,000 trucks."

"So, if they are minus 9,000 men and 2,000 trucks, it's a wonder they can still keep going on the trail."

The South Vietnamese casualty figures for the troops in Laos are also open to question. Saigon says that 1,163 were killed and 4,299 wounded, with 240 missing, for a total of almost 5,700 or about 25 per cent of the force involved. Some unconfirmed reports circulating in Saigon put the total casualties at 10,000, or about 50 percent, which the Saigon command absolutely denies.

#### FEW CHANCES TO CHECK

Because of the nature of the Laotian operation—no Americans allowed in on the ground—few of the statistics gathered by the South Vietnamese could be checked. The Saigon command insists that its men counted the bodies, but officers acknowledge privately that the figures are estimates. The lower American figure is also an estimate, based on reports by pilots of small observation planes and helicopters.

Duplication is unavoidable, with pilots sometimes counting the same bodies the South Vietnamese on the ground locate.

In a sense, the United States command is more interested in the accuracy of casualty figures for the South Vietnamese than for the enemy. As a result, American officers are assessing the figures with the help of American advisers at the scene who tried to count the member of their units as they returned.

An officer engaged in the work said that the South Vietnamese figures were on the low side but did not appear to be near the 10,000 mark. He said that the figures were probably off by a few hundred in each category, implying that the South Vietnamese probably suffered something under seven thousand casualties.

In any event, the South Vietnamese are not particularly interested in statistics, although they recognize the political possibilities of favorable ones.

"Statistics means very little to us," a South Vietnamese official remarked. "We only started them because the Americans seem to be interested along with the press."

#### FIGURE ON MUNITIONS WAS HIGH

The most striking example of statistical warfare during the operation in Laos was the figure provided by the South Vietnamese on the amount of munitions destroyed—176,246 tons, or more than the equivalent load of 10,000 of the largest cargo plane at work in Vietnam.

The American command was surprised by the figure, which jumped more than 160,000 in one week, and asked the South Vietnamese for clarification. The answer came back that it was "a verified amount." The American estimate is 14,000 tons.

At the briefing yesterday a Saigon spokesman insisted that the huge figure was accurate but added, "You should use your own judgment in using it."

The Americans are still not without their own attempts at manipulating the figures. The most frequently cited example was the deliberate leak in Washington of low American casualty figures—figures usually disclosed in Saigon on Thursday afternoons—early in election week last November.

During the incursion in Laos the command provided statistics only for the helicopters shot down and destroyed in Laos, not the much larger number shot down and then brought back to Vietnam. The rationale was that such information would help the enemy determine helicopter strength.

The casualties suffered in the "recovered" aircraft were also not reported daily, although they were included in the weekly figures, so the job of isolating the number of American casualties became almost impossible.

"The statistics still seem to be important in this war because of the limited tangible measurements," a diplomat commented. "The only problem is that they don't show whether you are winning or whether you really disrupted the trail."

#### WATER RIGHTS IN COLORADO

Mr. DOMINICK. Mr. President, on March 24, the Supreme Court decided two cases involving water rights in Colorado. In *United States against District Court in and for the County of Eagle*, the Court held that the United States must submit its claims to reserved water rights, which are based on withdrawals from the public domain, for adjudication in State court water adjudication proceedings. In *United States against District Court in and for Water Division No. 5*, the Court held that the United States, like any private party who claims water rights, is required to submit all of its water rights for adjudication under the new Colorado water statute—the "Colorado Water Right Determination and Administration Act of 1969."

Needless to say, I am delighted with these two decisions. Their net effect in Colorado is to put the United States in the same position with regard to water adjudication proceedings as any private party who claims water rights. Although these cases primarily involved water rights claimed by the United States in four national forests in Colorado—the White River, Arapahoe, Routt, and Grand Mesa-Uncompahgre—the decisions have enormous significance throughout the entire West.

Water is of vital importance in the semiarid western States, and is increasing in importance as our population ex-

pands. Of necessity, water rights in the West have been governed by the "appropriation system" of water law, as opposed to the riparian system which prevails east of the Mississippi, where water is more plentiful. The primary difference is that under the appropriation system, ownership of land does not carry with it the right to use water which is found there. A water right is acquired by diverting water and applying it to a beneficial use. The amount of the water right is determined by how much water was originally used, and the right carries with it a "priority date" according to when it was first initiated. This means that when there is not enough water to accommodate all users, water rights will be recognized in accordance with their priority dates. Water usage will be curtailed starting with the latest priority dates. Under this system, it is absolutely crucial that each owner of a water right—whether farmer, cattle rancher, municipality, et cetera—knows exactly the amount and priority date of every other right to use water from that same source. Without that knowledge, decisions with respect to planning and investment are difficult to make. The only means for making this knowledge available is through water adjudication proceedings in State courts.

Mr. President, this has been the problem with the United States. The United States claims water rights—"reserved rights"—which are based on withdrawals of land from the public domain. This means, essentially, that when the United States withdraws land from the public domain to establish, say, a national forest, it claims the right to use whatever amount of water is necessary to carry out the purposes for which the land was withdrawn. But over the years, the United States has consistently refused to submit these claims in state water adjudication proceedings, on the ground that as the sovereign, it was not required to do so, except by act of Congress. The result has been that the undetermined water claims of the United States have cast a "cloud on the title" of all water rights in the West.

The potential size of this cloud on title is illustrated by the fact that the United States owns 725,000,000 acres of public land in the 17 contiguous western States and Alaska, 443,000,000 of which have been withdrawn, carrying with them many undetermined claims to water rights. One example is the withdrawal of oil shale lands in western Colorado, Wyoming and Utah for the Naval Petroleum and Oil Reserves. Development of oil shale will require substantial quantities of water.

Well, Mr. President, I am very satisfied to see these decisions which will go a long way toward removing this uncertainty. I think Congress intended to clear the way for that when it passed the McCarran Act in 1952. The United States has contended otherwise, but that contention was put to rest by the Supreme Court's decision in the Eagle County case.

While these decisions are very helpful, many questions concerning the nature and scope of reserved water rights remain to be clarified. This will require expensive

and time-consuming litigation. For that reason, I think the time is ripe for additional legislation, perhaps along the lines of the recommendations of the Public Land Law Review Commission, which would provide a comprehensive, rather than a piecemeal, solution.

#### FOUR STARS FOR GEN. FRANK T. MILDREN, OF NEVADA

Mr. BIBLE. Mr. President, the morning of March 25, 1971, had special significance for the State of Nevada, and for one of its most distinguished sons. On that date, Gen. Frank T. Mildren became the first Nevadan ever to wear four stars on his Army uniform.

I was among those privileged to attend the brief but impressive promotion ceremony conducted by Army Chief of Staff Gen. William Westmoreland. And I was among those who experienced deep pride and satisfaction in the event.

General Mildren, by any yardstick, is among the most decorated and most gifted military leaders in American history. He was an outstanding battlefield commander in three wars. He has been decorated by the governments of six nations. He has served in command positions entailing tremendous responsibility, and he has provided brilliant and inspirational leadership.

Apart from his unquestioned professional excellence, Frank Mildren is a warm and sensitive human being who is admired and respected by all who are privileged to have his friendship. I consider myself fortunate indeed to be numbered among his friends, and I always look forward to the pleasure of his company.

In many respects, the life of General Mildren represents a 20th century American success story. His parents provided the basic values and guidance destined to serve him well in later life, but the family was of modest means and young Frank receive no special privileges or favors. He is a self-made man.

A lifelong resident of Las Vegas, General Mildren is a graduate of Las Vegas High School and later attended the University of Nevada at Reno for 2 years during the peak of the depression.

In 1936, he applied for—and received—an appointment to the U.S. Military Academy at West Point, N.Y. His future was determined at that moment.

Graduated in 1939, General Mildren very shortly was among the millions of young Americans called upon to resist German and Japanese aggression. He served with valor in a series of difficult and hazardous assignments. He was a "front line" soldier—an infantryman—who commanded first a company, then a battalion and finally a regiment.

General Mildren's qualities of leadership and proven combat experience earned him a series of rapid promotions during the war and the years immediately thereafter. He was a field grade commander by the time of the Korean conflict and wore the two stars of a major general during his first assignment in Vietnam. Later, after receiving his third star on July 1, 1965, he became the Deputy Commanding General of the U.S. Army in Vietnam.

Among the many decorations won by General Mildren in more than three decades of loyal service are the Silver Star with four Oak Leaf Clusters, the Distinguished Service Medal, the Purple Heart, the Bronze Star with Oak Leaf Cluster, the Air Medal, and the Legion of Merit with Oak Leaf Cluster. He has also been decorated by the governments of France, Luxembourg, Belgium, South Korea, and South Vietnam.

Until today, General Mildren had been the Deputy Commanding General of the Continental U.S. Army Command at Fort Monroe, Va. Today, however, he begins a new assignment—Commander of the Allied Land Forces in Southeastern Europe under the North Atlantic Treaty Organization—NATO—with headquarters at Izmir, Turkey.

Mr. President, the people of the State of Nevada take exceptional pride in the extraordinary achievements of a great native son. Recently, the Nevada Legislature, on the recommendation of Senators John Foley and B. Mahlon Brown, passed a concurrent resolution saluting General Mildren. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION—CONGRATULATING GEN. FRANK T. MILDREN ON BECOMING A FOUR-STAR GENERAL

Whereas, General Frank T. Mildren, a native of Las Vegas, Nevada, has become a four-star general and will assume command of Allied Land Forces, Southeastern Europe; and

Whereas, General Mildren's advance to this high rank in the United States Army is the result of his outstanding service as a combat soldier; and

Whereas, General Mildren is a 1939 graduate of the United States Military Academy, and served with the 2nd Division in Europe in World War II, the Far East Command X Corps and the 38th Infantry Regiment in Korea, and Headquarters, U.S. Army in Vietnam as Deputy Commanding General; and

Whereas, General Mildren's decorations include the Distinguished Service Medal with oak leaf cluster, the Silver Star with four oak leaf clusters, the Bronze Star with two oak leaf clusters, the Air Medal, the Purple Heart, the Legion of Merit with oak leaf cluster and the Army Commendation Medal; and

Whereas, The outstanding service of General Frank T. Mildren is something all Nevadans can be proud of; now, therefore, be it

*Resolved by the Senate of the State of Nevada, the Assembly concurring,* That the members of the 56th session of the legislature extend their heartiest congratulations to General Frank T. Mildren on his becoming a four-star general and the first of such rank from the State of Nevada; and be it further

*Resolved,* That a copy of this resolution be transmitted forthwith by the legislative counsel to General Frank T. Mildren.

#### NATIONAL FUTURE HOMEMAKERS OF AMERICA WEEK

Mr. BROCK. Mr. President, on behalf of the distinguished Senator from Texas (Mr. TOWER), I ask unanimous consent to have printed in the RECORD a statement by him on the subject of National Future Homemakers of America Week.

There being no objection, the state-

ment was ordered to be printed in the RECORD, as follows:

#### NATIONAL FUTURE HOMEMAKERS OF AMERICA WEEK

Mr. TOWER. Mr. President, this week, March 28 through April 3, 1971, is National Future Homemakers of America Week. I congratulate FHA for its continuing efforts to build citizenship and to develop individual character among this nation's youth.

Founded on June 11, 1945, Future Homemakers of America is an organization of high school home economics students with chapters throughout the United States, as well as in the Canal Zone, Germany, Iran, Japan, the Philippines, and the Virgin Islands. My own State of Texas has the greatest number of members—75,418—and the most chapters—1,298—in the entire organization. I am proud too that a Texan, Miss Lynn Emerson of Midlothian, is now serving as National Reporter of the FHA.

I think a key element of this group's goals lies in the word "Future." The FHA National President stated in explaining this week's theme, FHA Cares:

"In this, our twenty-fifth anniversary year as a national organization, we want National FHA Week to be a showcase for what 600,000 teenagers are doing constructively to find solutions to some of the problems confronting today's society in preparation for a better life tomorrow." FHA has worked since its establishment to educate young women in the skills of homemaking, but its goals are broader still. Members engage in community programs, such as teaching migrant and underprivileged children, caring for the handicapped, and working as volunteers in hospitals. In addition, one purpose of the organization adopted at the 1970 national meeting is:

"To become aware of the multiple roles of men and women in today's society."

Clearly, FHA is facing tomorrow and working to make the modern woman a leading and contributing element in our society.

#### AMENDMENT OF RULES BY COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. WILLIAMS. Mr. President, at its meeting on March 11, 1971, the Committee on Labor and Public Welfare adopted a number of amendments to the rules governing the committee's procedures.

I send to the desk a copy of the committee's amended rules, and ask unanimous consent that they be printed in the RECORD as required by section 133B of the Legislative Reorganization Act of 1946, as amended. These amended rules replace those which were printed in the RECORD on February 25, 1971.

There being no objection, the rules were ordered to be printed in the RECORD as follows:

#### RULES OF PROCEDURE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE (As amended, March 11, 1971)

*Rule 1.* Unless the Senate is meeting at the time, or it is otherwise ordered, the Committee shall meet regularly at 10:30 a.m. on the fourth Thursday of each month in Room 4232, New Senate Office Building. The Chairman may, upon proper notice, call such additional meetings as he may deem necessary.

*Rule 2.* The Chairman of the Committee or of a subcommittee, or if the Chairman is not present, the ranking Majority member present, shall preside at all meetings.

*Rule 3.* Meetings of the Committee or a subcommittee shall be open to the public, except executive sessions for the considera-



# Nixon's Aides Insist Drive In Laos Was Worth Price

By MAX FRANKEL

Special to The New York Times

WASHINGTON, March 29—President Nixon has begun to review the postmortem studies of the South Vietnamese invasion of Laos, which cover some serious military misjudgments as well as claims of strategic benefit.

The President is being advised that the allies badly underestimated North Vietnam's battlefield strength while overestimating their own. Yet, despite the high costs and the failure to realize maximum objectives, he is being asked to take comfort from the fact that more time was brought for the defense of South Vietnam and the continuing withdrawal of American forces.

Mr. Nixon is starting to look through the materials and analyses at his seaside retreat in San Clemente, Calif., to determine how to give the nation a further explanation of the Laotian venture, and how to profit from the experience in policy planning.

Some of the officials who helped assemble the materials doubt that the President, even in his own mind, will alter the judgment that the invasion was worthwhile. But they think that the presumed advantages, bought at such high cost in

battle, must be weighed against political losses at home, and, possibly, in Saigon. They expect that no one here will feel comfortable about the outcome for many months, at best.

The most conspicuous tactical setbacks are being attributed to intelligence failures. Mr. Nixon is being told that no one expected the North Vietnamese to be able to reinforce their units in Laos as quickly as they did or to supply them with 150 tanks and other heavy equipment in time to stage a massive counterattack.

Moreover, American air cover for the invading South Vietnamese is judged to have been much less effective than planned at early but critical stages of the six-week operation. Flights by helicopters and tactical support aircraft were hampered not only by poor weather but also by poor coordination with South Vietnamese guides and controllers on the ground.

Together those misjudgments are believed to have virtually eliminated the advantages in firepower and mobility contemplated for the 20,000-man invasion force. As they became

apparent, American military commanders wanted to rush reinforcements into the region, but their request was rejected by the Saigon Government and perhaps also by Washington.

The surprising enemy resistance, it is acknowledged, cut short both the reach and the duration of the invasion. It resulted in casualty rate of at least 25 per cent, and perhaps as much as 50 per cent, for the South Vietnamese, with as yet incalculable effects on their morale. And it left the North Vietnamese with at least a month more of relatively good weather to resume the shipment of men and supplies through the Laotian trails toward Cambodia and South Vietnam.

Nonetheless, the highest officials here do not accept the judgment of some analysts and journalists that the operation was ill-conceived or that the military results failed to justify the costs.

They are asking the President to keep in view its essential purpose: the disruption of North Vietnamese supply operations so that South Vietnam could be spared major military challenge through another period of American troop reductions.

Emboldened by the disruption of Hanoi's supply routes and bases in Cambodia last year, which brought relative tranquillity to the southern regions of South Vietnam, the Nixon Administration had hoped to win a similar respite for Cambodia and the northern parts of South Vietnam for a period stretching well into 1972.

The largest gain claimed for the operation, therefore, is the pre-emption of enemy supplies and energies to ward off big attacks that would have been mounted over the coming year.

## Heavy Toll of Enemy

The North Vietnamese are believed to have suffered at least as many casualties as the South Vietnamese and probably many more, from saturation United States bombing if not from engagements on the ground. They have been forced to use the better part of the dry season and their best reserves to repel the invasion. They will probably need a good part of the coming year to recuperate and to re-establish supply lines.

"When you ask whether it was worthwhile," a senior official remarked, "you have to ask whether we are better off than we would have been if we had not gone into Laos. Obviously, we are."

By that the President's men mean in a better position to continue the withdrawal of American forces without risking major North Vietnamese challenges. They think the South Vietnamese fought well under trying circumstances. They believe in any case that by buying time they have given the Saigon Government an even longer period in which to prepare to assume the total defense of its territory.

They had expected Hanoi to build up its forces for an effort to strike hard against the South Vietnamese Army sometime before the presidential election in South Vietnam, his fall, and they had expected major assaults against American forces next winter and spring to influence the course of political debate in the United States.

## Revival of Opposition

What the officials are asking themselves—if not the President—is whether the high military costs inflicted so much political damage on President Nixon, and perhaps also on President Nguyen Van Thieu, as to negate the benefits they had wanted to achieve.

It is acknowledged around the White House that opposition to Mr. Nixon's tactics of gradual withdrawal has been reignited by the invasion. He has lost ground in his bid for public support, they note, and cannot afford to lose much more without also losing flexibility in working for the survival of a non-Communist regime in Saigon.

They can only hope that Mr. Nixon will use the coming months to repair his standing and that Mr. Thieu can ward off challenges to his leadership.

At the middle levels of government here, the re-examination of the Laos venture have provoked quarrels about responsibility for the poor intelligence. There is also a continuing debate about the accuracy and value of the calculations being made to assess the degree of disruption or diversion of North Vietnamese supplies.

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